(12)

C.S. 100/-

SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 1098 /2005

PETITIONER

Smt. Reena Pillai, wife of Shri S.P. Pillai, aged about 37 years, resident of Qtr No. 231/A, Street Avenue, C. Sector I, Bhilai, Distt. Durg (Chhattisgarh), occupation – Lady Constable, C.I.S.F. Unit, BSP, Bhilai, Distt. Durg (Chhattisgarh)

P.R. No. 1202/05
Presented by Shri B.M. Pachauri
dated 18-03-05

VERSUS

RESPONDENTS

1. Union of India, through – Ministry of Home Affairs, New Delhi.

2. The Director General Central Industrial Security Force, (C.I.S.F.), Head Quarter Lodhi Road, CGO Complex, New Delhi.

3. D.I.G., C.I.S.F., Bhilai, Steel Plant, Bhilai, Distt. Durg (Chhattisgarh)

4. Commandant (ADM) C.I.S.F., Unit BSP Bhilai, Distt. Durg (C.G.)

18/03/05

THAKUR VIJAY SINGH
Asstt. Solicitor General of India
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA, 1950

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.1098 सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

29.3.2005

Smt. Hameeda Siddique, counsel for the petitioner.

Shri R. Pradhan, counsel for Union of India.

Heard on admission.

The petitioner, who is working as Constable in CISF Unit, Bhilai has filed this writ petition, challenging the validity of order dated 4.3.2005(Annexure P- 1) by which her services have been transferred from Bhilai to South West Zone. Her name finds place at serial No. 34 of document, Annexure P- 1.

Learned counsel for the petitioner submits that the petitioner is a lady and her husband is also working as Chargeman in Bhilai Steel Plant. She also submits that the petitioner have two 2 small children aged about 9 years and 5 years. She further submits that if the petitioner is transferred from Bhilai to the said Zone, her entire family shall be disturbed. She further submits that for all these reasons, the petitioner met with respondent No. 2 alongwith the representation, Annexure P-6 dated 9.3.2005, but respondent No. 2 has refused to receive the representation.

I have heard the learned counsel at length.

It is not disputed that the petitioner is working on the transferable post. It is also not disputed that the transfer is an

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

incidence of service and the same cannot be interfered by the Court unless it is challenged on the grounds of malafide or extraneous considerations or it is shown to be in violation of any rule and the law. So far as the personal difficulties are concerned, these are the matters to be considered by the employer for welfare of its employees and for his/her family so that he/she may render his/her services comfortably. This Court is not inclined to entertain this petition.

However, as learned counsel for the petitioner has stated that the representation has not been received, it is directed that the representation will be received by the respondent No.2 and it shall be disposed of in accordance with law as early as possible, preferably within a period of 1 month from the date of filing/receipt of the representation alongwith certified copy of this order and writ petition.

In the meantime, if the petitioner has not been relieved, she will be allowed to continue on the said place for a period of 1 month, i.e. by the end of 29th April 2005.

The petition stands finally disposed of.

C.C. as per rules.

Sd/-
Sunil Kumar Sinha
Judge

sunita

(पीछे देखिये)